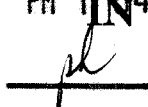


CLERK US DISTRICT COURT
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**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 10-10009

U. S. COURT OF APPEALS
FILED

FEB - 4 2010

DARREL REECE HUNTER,

Plaintiff - Appellant

CHARLES R. FULBRUGE III
CLERK

v.

UNITED STATES SUPREME COURT; BARACK OBAMA; JOHN MCCAIN;
DEMOCRATIC NATIONAL COMMITTEE; REPUBLICAN NATIONAL
COMMITTEE; UNITED STATES CONGRESS, House; UNITED STATES
CONGRESS, Senate; UNITED STATES ELECTORAL COLLEGE, All 50
U.S. States, District of Columbia; FEDERAL ELECTION COMMITTEE;
GEORGE W. BUSH,

Defendants - Appellees

Appeal from the United States District Court for the
Northern District of Texas, Amarillo
USDC No. 2:08-CV-232

Before GARZA, DeMOSS and CLEMENT, Circuit Judges.

PER CURIAM:

This court must examine the basis of its jurisdiction, on its own motion if necessary. *Hill v. City of Seven Points*, 230 F.3d 167, 169 (5th Cir. 2000). Pursuant to 28 U.S.C. § 2107(a) and Federal Rule of Appellate Procedure 4(a)(1)(A), the notice of appeal in a civil case must be filed within thirty days of entry of judgment. In this civil rights action, the district court entered final judgment dismissing the complaint on January 16, 2009. The plaintiff's

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notice of appeal was filed on December 31, 2009, well past the time allowed. The time limitation for filing a notice of appeal in a civil case is jurisdictional. *Bowles v. Russell*, 551 U.S. 205, 212-13 (2007). The lack of a timely notice mandates dismissal of the appeal. *Robbins v. Maggio*, 750 F.2d 405, 408 (5th Cir. 1985).

IT IS SO ORDERED.

Attest:
By

Clerk, U. S. Court of Appeals for the Fifth Circuit
By Rhonda Parker
New Orleans, Louisiana